

1                                   **UNITED STATES DISTRICT COURT**  
2                                   **DISTRICT OF NEVADA**

3 Pierre Devlin

Case No.: 2:21-cv-01266-JAD-DJA

4           Petitioner

5           v.

**Order Dismissing Action**

6 W. Hutchings, *et al.*,

ECF No. 1

7           Respondents

8           This is a petition for a writ of habeas corpus by Pierre Devlin, who is incarcerated at the  
9 Southern Desert Correctional Center in Indian Springs, Nevada. Devlin submitted his habeas  
10 petition<sup>1</sup> for filing on July 2, 2021. He did not pay the \$5 filing fee, and he did not submit an  
11 application to proceed *in forma pauperis*. As a result, I dismiss this case without prejudice to  
12 Devlin's ability to initiate a new habeas corpus action in this court. If Devlin wishes to initiate a  
13 habeas corpus action in this court, he must (1) submit a petition for writ of habeas corpus, and (2)  
14 either (a) pay the filing fee (\$5) or (b) submit a fully completed application to proceed *in forma*  
15 *pauperis* on the required form.

16           IT IS THEREFORE ORDERED that **this action is DISMISSED** without prejudice, all  
17 pending **motions are denied**, and the Clerk of the Court is directed to **ENTER JUDGMENT**  
18 **ACCORDINGLY and CLOSE THIS CASE. A certificate of appealability is DENIED**  
19 because jurists of reason would not find debatable whether the court is correct in dismissing this  
20 action;

21           IT IS FURTHER ORDERED that **the Clerk of the Court is directed to:**  
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<sup>1</sup> ECF No. 1-1.

- 1       • **SEND** the petitioner a copy of this order, a copy of his habeas petition (ECF No.  
2       1-1); two copies of the form for a petition for a writ of habeas corpus, two copies  
3       of the form for an application to proceed *in forma pauperis* for a prisoner, and any  
4       available instructions regarding form habeas petition and the form *in forma*  
5       *pauperis* application;
- 6       • **ADD** Aaron D. Ford, Attorney General of the State of Nevada, to the docket for  
7       this case, as counsel for the Respondents; and
- 8       • **SERVE** the Respondents with a copy of the habeas petition (ECF No. 1-1) and a  
9       copy of this order. Respondents need take no action with respect to this case.

10 Dated: July 6, 2021.

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13 U.S. District Judge Jennifer A. Dorsey  
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